

1 **GOODMAN LAW FIRM, APC**

2 **Brett B. Goodman** (SBN 260899)
11440 W. Bernardo Ct., Suite 300
3 San Diego, CA 92127
858.757.7262 Direct
4 858.757.7270 Facsimile
brett@goodmanlawapc.com

5 Attorneys for Defendant
6 I.C. System, Inc.

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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 **DEYSE MARTINEZ DE**
12 **MALDONADO,**

13 Plaintiff,

14 v.

15 **I.C. SYSTEM, INC.,**

16 Defendant.
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CASE NO.: 1:23-at-98

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant I.C. System, Inc. (“ICS”) hereby removes the subject action from the Superior Court of California, County of Fresno, Unlimited Jurisdiction, to the United States District Court for the Eastern District of California on the following grounds:

1. Plaintiff Deyse Martinez De Maldonado instituted an action in the Superior Court of California, County of Fresno, Unlimited Jurisdiction, on November 20, 2022.

A copy of the Complaint is attached hereto as **Exhibit A**.

2. I.C. System was served on January 9, 2023. Therefore, removal is timely.

3. Plaintiff filed an Amended Complaint on January 6, 2023, Plaintiff was served with the Amended Complaint on January 17, 2023. A copy of the Amended Complaint is attached hereto as **Exhibit B**.

4. Plaintiff’s Amended Complaint alleges violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. (“FDCPA”), Rosenthal Fair Debt Collection Practice Act, Cal Civ. §§ 1788, et seq., and California Code of Civil Procedure §§ 1280 et seq.

5. This Court has original jurisdiction over the subject action pursuant to 28 U.S.C. §1331 since there is a federal question. This suit falls within the FDCPA which supplies the federal question.

6. Pursuant to 28 U.S.C. §1441, et seq., this cause may be removed from the Superior Court of California, County of Fresno, Unlimited Jurisdiction, to the United States District Court for the Eastern District of California.

7. Notice of this removal will promptly be filed with the Superior Court of California, County of Fresno, Unlimited Jurisdiction, and be served on all adverse parties.

8. Pursuant to 28 U.S.C. §1446(a), copies of all process, pleadings, orders and other papers filed in this action and obtained by Defendant are attached hereto and marked as composite **Exhibit C** and incorporated herein by reference.

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WHEREFORE, Defendant I.C. System, Inc., by counsel, removes the subject action from with Superior Court of California, County of Fresno, Unlimited Jurisdiction, to the United States District Court for the Eastern District of California.

Dated: February 7, 2023 **GOODMAN LAW FIRM, APC**

By: /s/ Brett B. Goodman
Brett B. Goodman
Attorneys for Defendant
I.C. System, Inc.

CERTIFICATE OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Goodman Law Firm, APC, 11440 W. Bernardo Ct., Suite 300, San Diego, CA 92127. On February 7, 2023, I served the following document(s) by the method indicated below:

NOTICE OF REMOVAL TO THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

	by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Diego, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.
	by placing the document(s) listed above in a sealed envelope(s) and by causing personal delivery of the envelope(s) to the person(s) at the address(es) set forth below.
	by having the document(s) listed above hand-delivered to the person(s) at the address(es) set forth below.
	by placing the document(s) listed above in a sealed envelope(s) and consigning it to an express mail service for guaranteed delivery on the next business to the address(es) set forth below.
X	by causing to be electronically transmitted on this date the document(s) listed above to the electronic service address set forth below.

Plaintiff's Counsel

Michael F. Cardoza
Lauren B. Veggian
The Cardoza Law Corporation
548 Market St., #80594
San Francisco, CA 94104

Email: Mike.Cardoza@cardozalawcorp.com

Lauren.Veggian@cardozalawcorp.com

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on February 7, 2023, at San Diego County, California.

Bv: /s/ Brett B. Goodman
Brett B. Goodman